

struction Democrat of the day, opposed it with vigor and ability.

"No measure," he said later, "so satisfied me of the general want of moral courage on the part of Representatives. . . . Congress now yields readily to any pension claim, whether supported or not by valid proof. Then the House in Committee of the Whole, always defeated the measure; but when the Yeas and Nays were called, the vote was different. Elihu Washburn, John Sherman, and Winter Davis among the Republicans, had the courage of their convictions, and recorded themselves in the negative."

Convinced of the inexpediency and fundamental wrong of a system, which has since that time fastened itself with resistless and appalling power upon the Government, he opposed the Pension Bill in an elaborate speech on the floor of the House of Representatives. In this speech, which was made on April 27, 1858, he pointed out the extravagant provisions of the bill, and demonstrated the social, political and economic evils that may be expected to flow from the establishment and continuance of a system of pensions in a democratic government. The speech demonstrates the results of an extended investigation and study of the subject, both in an historical and political-economic direction; and Curry himself subsequently regarded it as one of the best he ever made. "Some whispers of discontent," he says, "were heard in my district; but my constituents had the good sense to approve."

As an incident of this period of his life, he mentions with interest the fact of hearing Adelina Patti sing. She was then but little more than a child, being scarcely seventeen; but she had already long been

a familiar object of admiration and delight to the music-loving public of two hemispheres, that she had charmed with her beauty, grace and artistic skill. Curry, in making mention of the incident some twenty years later, says: “She was a young girl, but gave abundant prophecy of her present fame.”

The session of Congress continued until June 1, 1858; and Curry and his family went home to spend the vacation, which lasted until the reassembling on December 6, 1858. Again the Pension Bill came to the front; and though apparently of almost insignificant consequence in comparison with the mighty subjects of which men’s minds and hearts were full, afforded in itself a theme for the expression of that constitutional interpretation about which the larger questions of slavery and abolition revolved. He was promulgating sound doctrine from the democratic standpoint, and that, so just, that political adversaries like Henry Winter Davis could take occasion to commend his position, when he said in further debate on the bill:—

It is said by gentlemen upon this floor that no argument as to the expense is an argument as to the merits of the bill. I take a different position. Sir, when you propose to tax the people of this country for the purpose of conferring a gratuity upon men who are not disabled, not needy, not objects of charity,—for this bill does not discriminate between the wealthy and the necessitous—then I contend that it is a legitimate line of argument to inquire into the expense under this bill, and to hold up to public view and observation the enormous amount which will be required to execute it.

His legislative efforts as a Congressman were all in the direction of seeking to administer the govern-

ment economically, prudently, and with due regard to constitutional restriction. On January 13, 1859, he offered a resolution, which was agreed to, requiring the Secretary of the Navy to furnish detailed information concerning the Navy Chaplains appointed since 1813. The act seemed to be to ascertain whether any attempt was being made to subject non-Episcopal Chaplains to Episcopal forms; or whether in the religious practices of the American Navy there might be any suggestion of a violation of the spirit of constitutional freedom, which had found its great inception in the United States in Jefferson's immortal statute.

Toward the latter part of the month of January, 1859, he participated in the then pending Consular and Diplomatic Appropriation Bill, asserting an economical and democratic attitude against the sinecures and pretensions of ministers to unimportant foreign courts, and proposing to reduce expense and curtail patronage by reducing the number of foreign ministers.

"My opposition to some, not all, of these measures," he declared, "grows out of the fact of their unnecessary expense and their conceded uselessness."

It is believed that no vote of his can be found recorded that did not favor, as opportunity occurred, a reduction in the number of offices, and a cutting down of appropriations. On February 2, 1859, when the Legislation Appropriation Bill was under discussion, he came to the front with a proposition to reduce expenses by putting an end to the publication of the Congressional Debates. Undismayed by memories of the reports of the legislative discussions

which had for so many years engaged the talents of Seaton and Gales, and to the abridgment of which Thomas H. Benton had not disdained to apply his great industry and ability, Curry attacked the bill by moving to strike out an item of \$49,333.32 for printing the Congressional Globe, and for binding the same; and the further item of \$18,046, “for reporting proceedings.” He admitted that he had very little hope of the motion being adopted, but said he made it in entirely good faith. He regarded the publication of the debates of the House as useless and costly; they crowded the mails, and were never read.

“I believe there is no expenditure of this Government so useless and worthless,” he declared, “as that for the publication of the Congressional Globe. . . . I do not propose to object to paying for what has already been done, but I propose to put a stop to future expenses of this kind.”

On the next day he made another speech against the system of printing and distributing the speeches of the House. “The truth is,” he asserted, “that with few exceptions, they are made that they may be printed and not that they may be read.”

A few days later, Mr. Francis P. Blair of Missouri moved the purchase of one hundred copies of Benton’s Abridgment of the Debates of Congress, for the use of the Congressional Library and the libraries of the two houses. Mr. Garnett of Virginia opposed the resolution, because he thought it “wrong in principle,” and later he found and expressed other reasons of opposition. Others took part in the discussion; and Curry moved to amend Mr. Blair’s



resolution by adding, "one hundred copies of Appleton's edition of Calhoun's Works."

Mr. Phelps of Missouri rose to a point of order: "I submit," said he, "that the amendment of the gentleman from Alabama is out of order." The point of order was overruled; and Curry said:—

I have not examined Benton's abridgment of the debates sufficiently to test their fidelity and accuracy. I have, however, purchased a copy for my own library. But, sir, I have to say that if it is as full of prejudice, and I had almost said of malignity, as his "Thirty Years in the Senate," I think it ought to be burned by the common hangman. However that may be, if Congress intends by this special piece of favoritism to purchase Benton's Abridgment, I think they ought to purchase, at least by way of antidote, Calhoun's Works.

To this Mr. Clark of Missouri replied:—

I am opposed to the amendment of the gentleman from Alabama. It is with great regret, indeed, that I have heard the gentleman allow himself to pronounce upon this great work of the country as he has done. Sir, Colonel Benton's Abridgment of the Debates of Congress is a great national work. Most gentlemen present have examined it, and will bear me witness that it is marked with the strictest fidelity and accuracy. I admit that Mr. Benton had his partialities, but they were not stronger than those of the favorite of the gentleman from Alabama, Mr. Calhoun. They were rivals, and have had their day. Both were great men of the country; but their works are widely different.

Mr. Cochrane of New York thereupon injected into the merry war of books and words this query:—

I desire to ask the gentleman from Alabama whether

Mr. Calhoun's Works are not already in the library of Congress?

Curry replied: "They are, and I hope gentlemen will read them and improve their politics"; to which Mr. McQueen of South Carolina added: "I will say to the gentleman that Mr. Benton's work is also there."

Curry's amendment was lost; and the incident, trivial in itself, is related merely for the sake of illustrating and emphasizing that dominant and significant characteristic, which lasted him through life, of losing no opportunity, however small, of seeking to impress his convictions concerning political or moral righteousness and truth upon the minds of those with whom he came in contact.

On February 24, 1859, he made an extended speech on expenditures and the tariff, advocating the democratic doctrine of "retrenchment and economy," and inveighing against "onerous taxes," and the injustice and unconstitutionality of a "protective" tariff. The closing sentence of this speech is worthy of quotation, as an epitome of the political doctrines of the State-rights democracy of the period:—

Sir, there is virtue, power, victory, invincibility yet in Democratic principles; but to secure and merit success there must be a self-lustration and a speedy return to the rigid State-rights and free-trade principles of John Taylor, and Jefferson, of Polk and Pierce, of Calhoun and Woodbury. On such alone can the Government be safely administered, and on such alone depend our security and prosperity.

It was the voice of one, invoking in the wilderness, among others more distinguished, the now almost

forgotten names and obsolete political philosophy of John Taylor of Caroline, the Virginian, and of Levi Woodbury, the great defender of the Independent Treasury System, and "the rock of New England democracy."

## CHAPTER VIII

### A FIRST AND LAST ALLEGIANCE

"WHEN Congress met in December, 1859," Curry makes record at a later period, "the two parties, Democratic and Republican, were nearly balanced, a handful of 'Americans' holding the control. John Sherman and Thomas S. Bocoek were the Republican and Democratic candidates for Speaker, and neither could get the required majority. During the autumn John Brown had made his incendiary raid into Virginia, and had been arrested, tried and hung. The North generally sympathized with the fanatical felon. One Richard Rowan Helper of North Carolina had published a pamphlet on Slavery, unjust to the South, which Republican members had endorsed and circulated. Passions were much inflamed. Sectional issues were assuming shape, and sectionalizing parties. The elements were brewing for a gigantic and bloody contest. During the balloting while the Clerk presided, many inflammatory speeches were made; and there were very nearly several times, personal collisions. On December 10th, I spoke on the Progress of Anti-slaveryism, trying to present a calm and philosophical view of the subject. My speech, temperate in language but firm and argumentative, was widely copied, and I received many letters asking for copies."

The times were out of joint, and temperance of thought and speech were ceasing to dominate men's minds. Slavery, which had agitated the country for more than two decades, as the subject of political discussion, and around which as an object revolved



great questions of constitutional construction and interpretation, was now not only a burning but a flaming issue. Mrs. Harriet Beecher Stowe had written, and her publishers had printed and circulated in America more than half a million copies of "Uncle Tom's Cabin," the most ingenious and powerful political pamphlet in its effect ever composed in the western hemisphere. Judge Taney and a majority of the Supreme Court had decided the Dred Scott case in favor of the pursuing master and against the recalcitrant slave in the free-state, and Benjamin R. Curtis, one of the ablest of the many able jurisprudents of New England, had delivered a dissenting opinion in the same great case, which had given pause to the purpose and daunted the intellectual courage of many of the most thoughtful pro-slavery advocates; Hinton R. Helper, a non-slave holding Southerner, had stirred the passions and inflamed the hearts of the North with a mighty exposition of the wrongs experienced by the poor white man of the South by reason of negro-slavery, in his "Impending Crisis," a complementary and more bitter indictment of slavery even than Mrs. Stowe's book; "Bleeding Kansas" had held the centre of the political stage in a passionate and ferocious struggle over two constitutions; and out of it John Brown had emerged in the darkness of abolition secrecy, with his murderous pikes of "freedom" in the hands of his fugitive slave-followers; and had been captured in his assault upon the United States Government Arsenal at Harper's Ferry by Federal troops, and hung for treason and inciting insurrection, by the authorities of the Commonwealth of Virginia. The quasi-moral question

of slavery, injected into the political body of the times had served, as such questions in politics invariably serve, to stir the fiercest and most elemental passions of men. Against the abolition slogan, that because of slavery the Federal Constitution was "a league with death and a covenant with hell," the strict construction South continued to chant its bold appeal to the Constitution itself. "After all, it is not the Union—the Union alone upon which the reflecting man of this country bases his hopes and rests his affections. With him the Union is secondary in importance to the principles it was designed to perpetuate and establish," was the thought of the Cotton States democrat, as voiced a short time before by a representative from Curry's own State. The "irrepressible conflict" loomed portentous and dreadful in the almost immediate future.

In Curry's speech, above referred to, made on the floor of the House five days after its meeting on December 5th, 1859, he enlarged upon the desperate temper of the times, the tremendous growth of abolition sentiment, and the logical and inevitable results to flow from existing conditions:—

"If I may be allowed to make a personal allusion," he said, "in 1844 I myself stood in Faneuil Hall, and heard a speech of James G. Birney, the Liberty-party candidate for the Presidency, when there was hardly a baker's dozen present to share with him his liberty-loving sentiments; and some of those who were there were, like myself, attracted from curiosity to hear a speech upon such a subject from a candidate for such a position. It is thus that anti-slaveryism has swelled, enlarged, and grown, until at the last presidential election, a mere political adventurer, unknown to the multitude, without

political antecedents, received one million four hundred thousand votes in Northern States. And yet you tell us, the distinguished gentleman from Ohio (Mr. Corwin) told us, that we need not have any apprehension or feel any special alarm."

Curry's characterization of John C. Frémont is scarcely consistent with his boast of the temperance to be found in the language of this speech. Frémont was already a distinguished man, even though an "adventurer" in the lofty sense of the word, when the young Republican party of the country had made him its standard-bearer in 1856; and had, independent of his "adventures," by that strange magic that often moves the minds of democracies, outside of political principles, won the hearts of many of the old Jacksonian Democrats by winning the hand of Jessie Benton, the daughter of the stout Missourian who had, independent and alone, in the earlier days of the century carried his "expunging resolutions" in the United States Senate, and wiped from the august record of that body the condemnation of his great chieftain, Andrew Jackson. Yet, after all is said, under the influence of those compelling days the one million four hundred thousand votes for Frémont in the Northern States in 1856 would have been given for a graven image, standing for what he stood for.

"Damn you, sir," said John Randolph of Roanoke, in response to the proffered thanks from the hustings of one of his neighbors for whom as a party candidate he had just voted, and to whom he had declined to speak for twenty years, "I am not voting for you, but for the Democratic party."

Curry's prognosis was correct, however intem-

perate his description of Frémont; and it was all in vain to his prophetic soul that Corwin and his compeers proclaimed "Peace! peace!" when there was no peace. He saw with the clearness of vision, that was not given to all who thought as he thought, to see, that "the vitalizing, animating principle of the Republican party is opposition to slavery." But with this clarity of foresight, he perceived none the less the other side,—the grave alternative,—equally clearly; and portrayed that perception, and his allegiance to its consequences, with the high courage that he never failed, when needful, to exhibit.

"Every separate community," he continued, "must be able to protect itself. Power must be met by power. If the majority can control this government, interpreting the Constitution at its will, then this government is a despotism. Whether wise or unwise, whether merciful or cruel, it is a despotism still.

"Mr. Clerk, this power of self-protection, according to my judgment and my theory of politics, resides in each State. Each has the right of secession, the right of interposition, for the arrest of evils within its limits.

• • •  
 "Mr. Clerk, if our . . . friends . . . (in Congress) . . . be not able to interpose for the security of the South, and for the preservation of the Constitution, I, for one, shall counsel immediate and effective resistance, and shall urge the people to fling themselves upon the reserved rights and the inalienable sovereignty of the State to which I owe my first and last allegiance." (Applause.)

The tension of the times was indicated in the fierce and protracted struggle over the Speakership of the House, which continued for eight weeks before



a Speaker was finally chosen. The Republicans had a plurality over the Democrats, but the Know-Nothings held the balance of power. John Sherman of Ohio, the Republican candidate for Speaker, and Thomas S. Bocock of Virginia, the Democratic candidate, were appropriate and fit representatives of their respective parties on the great issue; and the debates, that at times grew from anger to ferocity, circled about the John Brown raid and Helper's abolitionist "Impending Crisis." Sherman came at one time within three votes of election; but both he and Bocock failed in the conclusion, and William Pennington, of New Jersey, a moderate Republican, was elected to the Speakership. Sherman became later one of the most distinguished leaders of his party; while Bocock was, in 1861, elected a member of the first Congress of the Confederate States, and upon its permanent organization became its Speaker.

A short time before his death in 1903, Curry, in allusion to what he calls "a pleasant correspondence and interview with Mr. Edwards Pierrepont, our Minister to England," growing out of his speech above referred to, and doubtless in extenuation of its note of certainty, says:—

In after years, the decade having passed, I sent him (Mr. Pierrepont) a speech made before the Georgia legislature, in which I said that the man or woman, who assumed to understand and provide an adequate remedy for the negro problem was a fanatic *or* a fool. In reply he asked leave to amend by striking out "*or*" and inserting "*and*."

"Southern members," wrote Curry, in 1876, concerning these stirring events, "were generally too violent and personally denunciatory. Some attained a cheap

newspaper notoriety by attacks on Northern representatives; and, I doubt not, enhanced the cruelties of the war, as many of those representatives remembered the bitter words, and thirsted for revenge."

He concludes his account of the struggle over the Speakership, in which as a democratic teller, he kept the tally-sheet of the votes, with the statement that Governor Pennington, the successful candidate, was "a weak old man," and "had no qualifications for the position."

In the appointment of committees, Curry was put on that of Naval Affairs, the chairman of which was Mr. Schuyler Colfax of Indiana; "and was thus," he says, "thrown into pleasant relations with such officers as Buchanan, Dahlgren, Magruder, etc."

Curry's fame as a debater on the floor of the House became well established during this time; and when a resolution of censure against the President was introduced in that body, growing out of the sale of Fort Snelling, Mr. Buchanan sent for Curry and desired him to undertake his defense against the accusation contained in the resolution. This Curry made ready to do; and the notes for his speech prepared for the occasion, but never used, because the matter was not pressed, were found among his papers after his death.

On February 16, 1860, he submitted a resolution, that was unanimously agreed to, instructing the Committee on Accounts to inquire into the expediency of some additional legislation securing greater accountability and economy in the disbursement of the contingent fund. With a high sense of his representative responsibility, he remained a "watch-dog of the Treasury" during his whole stay in Con-

gress. He was ever eager in seeking the enforcement of an economic administration of the government, so long as he remained in it and of it, which he nevertheless showed himself ready to abandon, and if necessary to destroy, for the sake of a fundamental principle.

On March 14, following, he addressed the House on the Constitutional Rights of the States in the Territories, discussing Slavery, State Sovereignty, the powers of Congress in the Territories, "Squatter Sovereignty," and all the host of incidental matters that garnish the history of that tremendous epoch.

"African slavery," he said, "is now a great fact—a political, social, industrial, humanitarian fact. Its chief product is 'King,' and freights northern vessels, drives northern machinery, feeds northern laborers, and clothes the entire population. Northern no less than Southern capital and labor are dependent in great degree upon it; and these results were wholly unanticipated by the good men who are so industriously persuaded as clouds of witnesses against the institution."

He spoke of it, and thought of it, and maintained it, and fortified it as an "institution," with the logic and the eloquence of profound and patriotic conviction; deeming it as Mr. Calhoun described it: "What is called slavery is, in reality, a political institution, essential to the peace, safety and prosperity of those States of the Union in which it exists." Before he was ten years older Curry utterly abandoned this theory of slavery and came to regard it as an economic curse from which Southern society was happily relieved.

In his speech of March 14 he exhibited an unusual power of eloquence and ability; and at the end of

his hour, his time was extended by unanimous consent, in order that he might go on. He continued for some while longer, with an address of ever growing vigor and force, which found its peroration in a stirring allusion to the refusal of the Republican party to admit Kansas into the Union under the Lecompton constitution.

This speech attracted especial attention to him as one of the ablest of the Southern representatives in Congress; and was so disturbing in its effects upon the Douglas, or "Anti-Lecompton" Democrats, of whom there were then the ill-boding number of thirteen in the House, that the *Mobile Register*, the leading Douglas newspaper in the South, edited by the Honorable John Forsythe, devoted eight or ten successive articles to an elaborate reply.

A slight incident in a man's career will often serve to illustrate his character more than many of his most ambitious acts. On June 4, 1860, Curry opposed the payment to the grandchildren of a certain Revolutionary officer of a sum of money that had been voted him by Congress, but not paid. He said: "I have examined a great many of these Revolutionary claims, and I have never found a just one yet." His idea seemed to be that of the Texas judge, who replied, to the plea of the young lawyer defending the criminal, to the effect that it was better for ninety-nine guilty men to escape than for one innocent person to suffer, with the sententious observation that the ninety-nine guilty ones had "already escaped." Curry thought that the righteous Revolutionary claims had long since been paid. Upon learning that the children of the officer were dead, he asserted: "Then his grandchildren, in this



claim are speculating on the patriotism of their ancestor."

But in the same month, in kindly and striking contrast with this stern attitude of mind, we find him, in his last utterance of the session, saying:—

Mr. Speaker, the other day I objected to a bill reported by the gentleman from New Hampshire from the Committee of Claims, because the report stated no facts. On examination of the Senate report, I find that the facts are fully stated; and as I did injustice to a very worthy old man, as I think, I would like very much, if the House will indulge me, to repair the wrong I have done him.

The House adjourned June 18th, 1860, with "bleeding Kansas" still a territory, and Slave State and Free State confronting each the other, in fierce hostility. Curry, travelling homeward through Tennessee, reached Talladega on June 27th, the day before the withdrawing delegates from the Democratic Charleston Convention gathered in Baltimore, and nominated Breckinridge and Lane as the candidates of the states rights and slavery cotton states Democracy.

## CHAPTER IX

### THE DAWN OF WAR

MADAME DE RÉMUSAT has recorded the striking saying of the great French Emperor, that "political hatred is like a pair of spectacles,—one sees everybody, every opinion or every sentiment, only through the glass of one's passions." To such a pitch had political excitement risen in 1860, that Napoleon's cynicism had become an expression of commonplace truth.

Nearly two months before the adjournment of Congress, the Democratic National Convention had met in Charleston, South Carolina. The division of the country into the sections which Mr. Jefferson had anticipated from the passage of the Missouri Compromise, now found its reproduction in the council chamber of Democracy itself. The two factions in the party, re-affirming each the strict construction doctrines of many previous Democratic platforms, aligned themselves sectionally by North and South upon the questions of Douglas' "Popular Sovereignty," the Dred Scott case, and the right of Congress or of Territorial legislatures to prohibit slavery in the Territories. After a bitter and momentous struggle, in which the few Northern anti-Douglas delegates out-heroded Herod in their opposition to "Squatter Sovereignty," the Convention adopted the Douglas platform, and after a prolonged session and an adjournment to Baltimore, nominated

"the Little Giant" of Illinois as the party's candidate for President, with Herschel V. Johnson of Georgia as his running mate; while with vociferous insistence Benjamin F. Butler and Caleb Cushing of Massachusetts continued to cast their votes for President for Jefferson Davis of Mississippi.

The Breckinridge wing of the party, ten days later, met also in Baltimore, and nominated Breckinridge and Lane. The Constitutional Union party, the remnant of the former American or "Know-Nothing" organization, still staggering under the deadly blow dealt it in Virginia, in 1855, by Henry A. Wise, had in the preceding month met, also in Baltimore, and with what seems in the retrospect almost such a sense of humor as was possessed by the jester who defined a political platform as "something to get on by," had nominated Bell and Everett, on the glittering and general proposition that the decrepit party stood for "The Constitution of the Country, the Union of the States, and the enforcement of the laws."

In Massachusetts "The Battle Hymn of the Republic" was taking form in an abolitionist woman's brain; while in Louisiana a young school-teacher was dreaming of the "Marsellaise" of the Confederacy. Within a year after the Whig-Know-Nothing-Constitutional Party sought to still elemental passions with phrases, Mrs. Julia Ward Howe had written the greatest political lyric of America:—

Mine eyes have seen the glory of the coming of  
the Lord:

He is trampling out the vintage where his grapes  
of wrath are stored,

He has loosed the fateful lightnings of his terrible swift sword—

His truth is marching on;

and James Ryder Randall had put into words, and the Virginian Cary girls had put into music, the soul of war; and a new-born and short-lived nation was chanting in the South:—

The despot's heel is on thy shore,  
Maryland, my Maryland!  
His torch is at thy temple door,  
Maryland, my Maryland!

For the young and aggressive party of anti-slavery, and of loose construction, Mr. Lincoln had set the pace in a series of tremendous debates for the Senatorship in Illinois, two years before, in which he had nevertheless gone down in temporary defeat before the arguments and eloquence of Douglas. But the logic of Lincoln's reiterated assertion in that great debate, that the country could not continue "half-slave and half-free," was now mingling with the mighty passions that had sprung out of the John Brown episode. There was no evasion nor dissension in the vigorous enunciation of political principles, written into the Republican platform of 1860, when its convention assembled in May, at Chicago, and nominated as its candidates Abraham Lincoln and Hannibal Hamlin. This document proclaimed in the confident notes of an unmistakable purpose, a loose construction of the Federal Constitution. It appealed to the Declaration of Independence itself in defence of the freedom and equality of all men; with a brave indifference to the memories of the Hartford Convention, and



of the outspoken disloyalty of the earlier abolitionists, it charged the Democracy with advocating and threatening disunion; and it pronounced for the freedom of all men in the Territories, and adopted the Federalist doctrines of Protection and of Internal Improvements.

Out of the ruck and turmoil of it all emerged darkly the swart face and ominous figure of the negro slave. The platform of the Union party evaded the vision, and ignored its imminent presence. The Douglas democracy, with an illogical and unmain-  
tainable platform, left the negro question like Mahomet's coffin, swung midway between heaven and earth, while it laid the responsibility which involved the decision of the negro's fate upon the people in the Territories, or upon the people of the States indifferently,—or anywhere, indeed, except where the Cotton States democrats reasonably placed it in their platform,—upon the Constitution and the Democratic party.

Opposed to these three divisions of the voters into political parties, stood with unwavering front and indomitable courage the young Republicans, upon a platform which declared its set and relentless purpose of prohibiting slavery in the Territories at all hazards, and at whatever stake; and whose rank and file were stirred to high passion by the flaming spirit of abolitionism.

When the election came in November, every Free State, save one, chose Republican electors; while most of the Southern States voted for Breckinridge. It was the logical and inevitable conclusion. There was no time or place for the midway business of Douglasism, or for the evasions of the "Know-Nothings."

Curry, naturally, with his firmly fixed political principles and consistent antecedents, went with the Breckinridge democracy. He was not of Judge Douglas' political stripe; and he hardly admired him as a man.

"He was an able debater," Curry writes of him, "with strong native powers, but without wide culture. In his tastes and associations he was social and democratic; and, as a *bon vivant*, his intemperance led his associates astray."

In Alabama, "as in duty bound and from conviction" Curry entered actively into the Presidential canvass. He spoke not only in his own district, but in Greensboro, Marion, Selma, and other places. In November, following the date of the popular election, he addressed the people in the Methodist church at Talladega on "The Perils and Duty of the South." In this address, he advised and counselled the secession of the State, as the only logical and sufficient remedy under the Constitution for existing evils. The next day he set out for Washington, in order to be present at the opening of Congress.

"Little else was thought or talked about," he writes of this period, "than the threatened secession of the slave-holding states. The debates in Congress were excited and inflammatory,—menacing, not pacific; partisan, not statesmanlike. Few realized the criticalness of the situation, or seemed to forecast the consequences. Few at the North credited the intense earnestness of the South. When the telegram was received that South Carolina had seceded, it met with derisive laughter from the Republican side. Oxenstiern's advice to his son, to travel and see with how little wisdom the world was governed, had a painful verification."

On December 13th, Curry objected to the introduction of a resolution by Morris of Illinois on "the Perpetuity of the Union." His objection was to the peril that stood in the imminent breach. Five days later, he objected to the introduction of a bill granting pensions to soldiers of the War of 1812. This objection harked back to first principles. He was ever seeking to uphold, both in great things and in small, the constitutions of his country, as he construed them.

But the perpetuity of the Union was about to be called into tremendous question: and other pensions than those of the War of 1812 lay in the near shadow of coming events. Standing at the parting of the ways, he could look back at his career in the National House of Representatives with a sense of having kept the faith. His period of service in Congress extended from December 7, 1857, to January 31, 1861. During that period the eager young Alabamian had stood in his high representative office for the continuance of slavery as an "institution" under the constitution, into which it had been written; for State Rights according to his strict interpretation of the instrument; for open territories, for economy in appropriations and expenditures, for a reduction of the number of sinecures; and for the barring of opportunities to what a later American political vernacular has given the sinister name of "graft." He had stood too for a strict interpretation of the Constitution at all points; and he had opposed protectionism, and advocated a tariff fairly adjusted to support a national government, honestly and economically administered.

"Sunset" Cox in his "Three Decades of Federal  
*Univ Calif - Digitized by Microsoft®*

Legislation," seeking to depict his Congressional fellow-members, each with a few light lines, has dealt with him and Pugh, one of his colleagues from Alabama, together, in the succinct paragraph: "For subtle ratiocination of the Calhoun pattern, there was Pugh of Alabama, who had all the pith without the artistic polish of his colleague, Curry"; and a later commentator in the Macon, Georgia, *Telegraph*, has said of him:—

At a period just preceding the War he was justly considered the leader of his party in the House of Representatives. The records of Congress glow with his brilliant and patriotic appeals in behalf of Southern rights and institutions.

On December 20, 1860, to the "derisive laughter" of the Republican members of the House, South Carolina, with grim memories of "Nullification" and of "the Bloody Proclamation," seceded from the Union under what she had always conceived to be her constitutional and unsundered right. On the 28th of that month, Curry went to Annapolis as the accredited representative of Alabama, to present his credentials to the Governor of that State, and to consult with him concerning the coöperation of the two States with respect to their future welfare.

The Governor of Maryland was absent from the capital at the time of Curry's visit; and the latter left a communication in writing, to which his excellency replied through the newspapers, without giving the public an opportunity to read Curry's letter with the reply. Nothing came of the little adventure; but the story of the episode is preserved in the correspondence and in Curry's report of his visit to the



capital of Maryland, all of which are published in the "Debates" of the Alabama Secession Convention.

On January 1, 1861, Curry left Washington, *en route* for Montgomery, to be present at the sessions of the Alabama Convention; and at various places on the way he made speeches and received ovations at the hands of multitudes. On January 7th, the Convention assembled, and was opened with prayer by the Reverend Basil Manly. Curry was invited to a seat on the platform; and three days later he and his colleague, Mr. Pugh, in response to a resolution of the Convention, submitted to the body a communication stating the purposes of the new Republican government of Washington as anticipated by the writers. On the following day, January 11, 1861, the Convention adopted an ordinance of secession by a vote of 61 to 39.

"The intense earnestness of the people" over this grave and momentous action of their representatives, unappreciated, as Curry states, at the North, was illustrated in the capital city of Alabama and throughout the State, by the reception which was given to the withdrawal of the State from the Union. The excitement was intense, and vented itself in the roaring of cannon and the ringing of bells; while the Convention hall, whose doors were flung open upon the announcement of the event, was thronged with an enthusiastic and cheering multitude. At night the city was brilliantly illuminated, and the streets were thronged with a concourse of men, women and children. A mass-meeting was held in front of Montgomery Hall, and Curry and John B. Gordon addressed the multitude. It was the first

time that the later educator had met the later soldier, whose similar patriotism in subsequent years was to aid in reconciling and re-uniting the then divided people of a common country.

On January 13th, Curry went to Selma, Alabama, and on the next day to Talladega. On the 19th, the Convention, still in session, elected him a delegate—"deputy," he calls it—to the Convention of Seceding States, which was to meet at Montgomery, on February 4th following, for the purpose of organizing a provisional government. It was on the way to this Convention,—as he pauses in the swift narrative of events, made in his later years, to record,—that he made another notable acquaintance in the person of the distinguished lady, who has left the mark of her literary talent upon the story of Southern letters in her novels; and a yet more grateful memory in the hearts of many, whose lives survive the stormy scenes sought to be herein depicted, by her attention to the sick and wounded in the Confederate Camps of 1861–1865.

On February 3rd, *en route* to Montgomery, to attend the Congress, on the boat above Selma, I was introduced to Miss Augusta Evans, an ardent Confederate, the authoress of "Inez," "Beulah," "Macaria," etc., and then began a delightful friendship with a pure and noble and gifted woman.

Long years afterward this friend of the river trip to Montgomery, writing to him of his special mission to Spain, says :

MOBILE, JAN. 1, 1902.

MY DEAR MR. CURRY:

"*Forty-one years ago* I listened to the speech you delivered in the "Confederacy Congress" at Montgomery

*Univ Calif - Digitized by Microsoft®*

when presenting to Howell Cobb an inkstand of Talladega marble. How many, who heard you then, survive to-day to congratulate you on this latest laurel wreath earned by your successful service? Hoping that 1902 comes freighted with blessings for you and your wife, and soliciting your generous indulgence for this ugly scrawl, believe me—as of yore,

Your sincere, unreconstructed rebel friend,  
AUGUSTA EVANS WILSON."

In the meantime, while Curry was in the South, the dramatic events which prefaced the crisis were taking place in Washington. As the ordinances of secession were passed one after another by the Southern States, the Senators and Representatives from the South were withdrawing from the two Houses of the National Congress.

"The onlookers," says a historian of the period, writing from the Northern viewpoint of these tragic circumstances, "thought of Webster and his prayer, that his dying eyes as they sought the sun, might not behold it shining upon a torn and rent land, and they cursed the hour in which they themselves were witnessing the dissolution of the Union."

It was not merely men that were leaving the familiar halls. "The States were going out!" The Senators in person, and the Representatives for the most part by written addresses, took their leave. One of the former, who became in time the central figure of this tremendous political tragedy, said on the 21st day of January, 1861, in a farewell address to the assembled Senate, the final word announcing the attitude of the seceding States:—

"A great man who now reposes with his fathers," said Senator Jefferson Davis of Mississippi, "and who has

often been arraigned for a want of fealty to the Union, advocated the doctrine of Nullification because it preserved the Union. It was because of his deep-seated attachment to the Union,—his determination to find some remedy for existing ills, short of a severance of the ties which bound South Carolina to the other States,—that Mr. Calhoun advocated the doctrine of Nullification, which he proclaimed to be peaceful, to be within the limits of State power, not to disturb the Union, but only to be a means of bringing the agent before the tribunal of the States for their judgment.

“Secession belongs to a different class of remedies. It is to be justified upon the basis that the States are sovereign. There was a time when none denied it. I hope the time may come again when a better comprehension of the theory of our Government, and the inalienable rights of the people of the States, will prevent any one from denying that each State is a sovereign, and thus may reclaim the grants which it has made to any agent whomsoever.”

Second in the Senate, and among the first three or four of the delegations from the South, the men from Alabama answered the call of their sovereign States. On January 12th, 1861, L. Q. C. Lamar, and the other Mississippi representatives, bade adieu to the House in a formal note of fourteen lines; and on the day of Mr. Davis' farewell address to the Senate, Curry and his colleagues presented to Speaker Pennington their communication of withdrawal:—

WASHINGTON CITY,

January 21, 1861.

Sir:—Having received information that the State of Alabama, through a convention representing her sovereignty, has adopted and ratified an ordinance, by which



she withdraws from the Union of the United States of America, and resumes the powers heretofore delegated to the Federal Government, it is proper that we should communicate the same to you, and through you to the House of Representatives, over which you preside, and announce our withdrawal from the further deliberations of that body.

The causes which, in the judgment of our State, rendered such action necessary, we need not relate. It is sufficient to say, that duty requires obedience to her sovereign will, and that we shall return to our homes, sustain her action, and share the fortunes of her people.

We have the honor to be, very respectfully, your obedient servants,

GEORGE S. HOUSTON,  
 SYDENHAM MOORE,  
 DAVID CLOPTON,  
 JAMES L. PUGH,  
 J. L. M. CURRY,  
 JAMES A. STALLWORTH.

Hon. WILLIAM PENNINGTON,  
 Speaker of the House of Representatives.

Of the men who signed this paper, informed with a spirit of duty, dignified in its expression, and carrying between the lines an unconcealed pathos, it may be here written that their subsequent careers vindicated their pure patriotism and lofty purpose. Houston became a *post-bellum* Governor of his State. Sydenham Moore, an intimate friend of Curry's, fell at Seven Pines with a mortal wound, and died from its effects a short time afterwards in Richmond. Clopton and Stallworth were honored by the people of their State; and James L. Pugh lived to represent Alabama in the Senate of a restored and indissoluble Union.

## CHAPTER X

### A NEW NATION

OF the popular vote in the Presidential election of November, 1860, the Republican ticket had received 1,866,352; the Constitutional Union ticket 589,581; and the two democratic tickets together, 2,220,920, of which 1,375,157 votes had been cast for the ticket headed by Douglas, and 845,763 for that headed by Breckinridge. A loose-construction party, to use the political phraseology of the time, for the first time in the history of the Union, had gained control of the government, though by a popular minority; and when Mr. Lincoln took the oath of office as President of the United States on March 4th, 1861, seven of the Southern States had already left the Union, and others were preparing to follow. Virginia had called a convention, which met in Richmond on the 13th day of February, 1861, a majority of whose members were Union men, and opposed to the secession of the Commonwealth. On April 14th, while the Convention was in session, Fort Sumter, after a bombardment of thirty hours by the military forces of the seceded States, surrendered; and the President of the United States on April 15th issued a call for 75,000 volunteers to coerce the States which had withdrawn from the Union. On April 17th, in consequence of the call for volunteers, Virginia

enacted an ordinance of secession, and communicated its decision to the provisional government of the Confederate States at Montgomery, Alabama.

In the meantime, Curry, as a deputy of his State, had been present when the convention of the Seceding States met at Montgomery, February 4, 1861. The body assembled in the Senate Chamber of the Capitol. Howell Cobb of Georgia was elected president of the body. Others among the ablest and most distinguished members who participated in its deliberations were Alexander H. Stephens, Thomas Reade Rootes Cobb, Benjamin Hill, Robert Toombs, T. J. Withers, Robert W. Barnwell, Charles G. Meminger, R. H. Smith, Robert W. Walker, Lewis T. Wigfall, and John Hemphill.

Curry's colleagues, in addition to Messrs. Walker and Smith, already mentioned, were Colin J. McCrae, John Gill Shorter, William P. Chilton, Stephen F. Hale, David P. Lewis, and Thomas Fearn.

The immediate and most urgent business of the Convention was to prepare and adopt a provisional constitution, and to organize the government of the new nation. A constitution was framed and adopted, which in its provisions carefully and explicitly guarded by express language all those issues which had been the subjects of controversy and contention between the loose constructionists and the strict constructionists of the old Union.

Jefferson Davis of Mississippi and Alexander H. Stephens of Georgia were respectively elected President and Vice-president of the Confederate States of America; and in the presence of a great multitude the President took the oath of office, standing on the steps of the portico of the historic building, looking

from its eminence upon the city. The spot where Davis stood is still marked by a star, let into the pavement of the step, to point to the visitor of later generations the birthplace of one of the most tragic political Commonwealths in history.

"Mr. Davis reached Montgomery on the 17th of February," writes Curry in his memoranda, "and was inaugurated on the following day. He stood on the steps of the capitol looking west, as he read his Inaugural, and when the oath of office was administered, with great solemnity and reverence he bowed and kissed a large open Bible, which lay before him. The induction of the President of the Confederate States was most fitting. Then sounded the cannon. The first gun was fired by a grand-daughter of President Tyler. She was a pretty little girl about twelve years old."

Doubtless the heart of the Southern President in this supreme moment was as sad and anxious as was that of the newly elected head of a rent and disorganized Union beyond the Potomac; but upon it lay no burden of doubt as to the justice and righteousness of the cause.

"We have changed," said Mr. Davis, toward the close of his inaugural address, "the constituent parts, but not the system of our government. The Constitution formed by our fathers is that of these Confederate States, in their exposition of it; and, in the judicial construction it has received, we have a light which reveals its true meaning."

He concluded his address in a lofty strain:—

"It is joyous," he said, "in the midst of perilous times, to look around upon a people united in heart; where one purpose of high resolve animates and actuates the whole, —where the sacrifices to be made are not weighed in the



balance against honor, and right and liberty and equality. Obstacles may retard,—they cannot long prevent,—the progress of a movement sanctioned by its justice, and sustained by a virtuous people. Reverently let us invoke the God of our fathers to guide and protect us in our efforts to perpetuate the principles, which by this blessing they were able to vindicate, establish, and transmit to their posterity, and with a continuance of this favor ever gratefully acknowledged we may hopefully look forward to success, to peace, and to prosperity.”

Until Fort Sumter fell, there were many in the North, even of those who had been original abolitionists, who, while bitterly lamenting the occasion, were willing to see the Union dissolved. Horace Greeley’s famous “Let our erring sisters go in peace,” expressed the sentiments of a large number of the commercial and academic classes.

“By March,” writes Curry, “a permanent Constitution was adopted, and submitted to the separate Confederate States for their ratification. The Congress adhered with almost literal fidelity to the Constitution of the United States, as not the provisions of that instrument, but the violations, were the *gravamen* of our complaints. The New York *Herald*, in April, published the full text of our Constitution, and advised the North to adopt it as a settlement of the difficulties.

“Very little difference of opinion was developed in the Congress. The most patriotic harmony prevailed, and some of the most *sagacious* members thought there would be no war. All deprecated such an event, and hoped, as no interference with the United States was proposed, that a peaceful adjustment might be secured. The troubles, growing out of the garrisoning of forts in Charleston harbor, brought on a collision, which occasioned the four years’ bloody tragedy.”

After the election of Mr. Lincoln, Curry received a letter from Major James Longstreet, then at Albuquerque, New Mexico, authorizing him to tender Longstreet's services to Alabama in the event of her secession; and later his services were offered to the Confederacy through Curry, who carried the letter to Mr. Davis. They were accepted by the President, who at once appointed Longstreet a Colonel, from which office he rose to be one of the great Major Generals of the Confederacy. Raphael Semmes, of later "Alabama" fame, wrote to Curry about the situation; and after resigning his commission in the United States Navy, and his position on the Light House Board, telegraphed that he was in a condition to serve the South.

Army and navy officers of the United States military and naval organizations, all about the world, who were Southerners by birth or residence, and not a few who were neither, but believed that the cause of the South was a just cause, hastened to tender their swords and services to the Confederacy.

It is worthy of record here, even at the risk of wearisome iteration, that these men did not engage in this service for the sake of perpetuating slavery; but that they were animated by the same patriotic sentiment of loyalty to constitutional freedom and to the sovereignty of the individual States that impelled the political leaders of the mighty movement. Robert E. Lee owned no slaves at the time of the War. Fitzhugh Lee never owned a slave. J. E. B. Stuart, the great cavalry leader of the Confederacy, owned no slave at the time of the war. Joseph E. Johnston never owned a slave. And what is true of these men is true of many others, who hav-

ing held commissions in the army of the United States, had no hesitation as to the direction in which lay their paramount allegiance.

In the month of May, 1861, the Confederate Congress adjourned, after having first resolved to re-assemble in its next session at Richmond, Virginia. Curry states that this change was made as an imagined military necessity; but that in his opinion the measure was of very doubtful wisdom. Whatever its wisdom or unwisdom, it had the practical effect of making Virginia the battleground of the sanguinary struggle that followed, and of visiting upon the ancient Commonwealth a physical devastation that was suffered in the same measure by no other one of the Confederate States.

On July 20, 1861, the Confederate Congress met in Richmond; and on the same day Curry left Talladega for the new capital of the Confederacy, and arrived in Richmond the following morning. Upon his arrival, he learned of the near approach of collision between the troops of the two governments.

"Hearing that a battle was imminent at Manassas," he writes, "I took the train . . . to hasten to the scene of the conflict. The cars were so crowded that the whole day hardly sufficed to enable us to reach Manassas. The battle had been fought; the victory won; and the Federal soldiers, in complete rout, had fled to Washington. I rode over the battlefield and along the line of retreat, and to me the carnage seemed dreadful. It was my first sight of dead men killed in battle. One thing impressed me powerfully: the utter disorganization and want of discipline in our army. Victory had demoralized our troops as much as defeat had the enemy. To my inexperienced eye it seemed as if a well-appointed brigade

could have captured our whole army. Everything was in confusion, and men and officers seemed to be straggling at will."

On the occasion of his visit to the battlefield of Manassas, he made his first acquaintance with Generals Joseph E. Johnston and P. G. T. Beauregard. No other opportunity or occasion occurred to him to come in contact with the military organizations of the Confederacy until the following September, when upon the adjournment of Congress he again visited the army, and went as far as Mason's and Munson's Hills, from which he could see the flag of the Union floating over the Capitol at Washington. He mingled with the men of several Alabama regiments, who paid him the compliment of more than one serenade; and he renewed his acquaintance with General Longstreet, with whom he dined by invitation at Fairfax Court House in a distinguished group of officers, including General Johnston.

On the day following his visit to Manassas, Curry returned to Richmond. The provisional Congress of the Confederacy had assembled in the capitol of the Commonwealth, a beautiful structure of classical proportions, designed by Mr. Jefferson upon the model of the Maison Carrée at Nismes, in France, and which had witnessed already the presence of many great men of Virginia and the nation, and had been the scene of many momentous and historical events. Among the new members of Congress was a venerable ex-President of the United States, John Tyler, during whose administration Texas had been admitted to the Union, and whose singular devotion to the Union over which he had once presided was only equalled by his patriotic loyalty, as a State-



rights, strict-constructionist, to the sovereign Commonwealth of Virginia.

Among the matters of business claiming the attention of the Congress was the consideration of bills that were introduced providing for the admission into the Confederacy of the States of Missouri and Kentucky. The admission of these States was favored in speeches that were made by Tyler, Toombs, Wigfall, and other members of prominence, and the measures were enacted into law. But Curry, with a keen and philosophic discrimination which postponed utility to principle, opposed their passage with a logic which was as inexorable as it might have proved efficient under other and less exigent conditions. In his opposition, he vindicated the accuracy and exactness of Mr. Calhoun's political philosophy; and when some true history of the great South Carolina statesman's life and career shall come to be written, it may well contain the record that of all his disciples there was none who followed more exactly and comprehendingly in the path of his political footsteps than did J. L. M. Curry.

"I opposed them ineffectually," he writes, "and almost alone," he adds in another place, "on the ground that their admission would be in utter contravention of all the principles underlying our secession and the formation of the Confederacy;—that a majority of the people of Kentucky and Missouri were not in sympathy with us, and that the representatives would have no constituents. My predictions were too faithfully verified. The States were soon in the complete control of the Federal army: and those who sat as representatives of those States owed their pretence of an election to the votes cast by soldiers in our army from those States. With

some honorable exceptions, the representatives were worse than useless."

It was during his sojourn in Richmond as a member of the Confederate Congress that he first met the young woman, who two years after the war became his second wife, and whose association with him, in that affectionate and intimate relation, exercised a noble influence upon his later more distinguished career.

"I soon went to board," he writes, "with A. H. Sands, esquire, between First and Foushee, on Grace Street, and remained with him during my service in Congress. From him and his family I received the kindest and most cordial attentions, for which I shall ever be truly grateful. Before going to Mr. Sands', I had boarded fourteen days at the Spotswood Hotel. During August, in company with Judge Chilton, my colleague, I called at Mr. James Thomas, Jr.'s, corner of Second and Grace. The family were so gentle, so hospitable, so cordial, that my heart was won; and during my service in Congress a week seldom passed that I did not take tea with the family. Separated from my own family, I as eagerly longed for the repetition of my visits to this welcome home, as school-girl ever looked forward to vacation and reunion with parents."

During the period of his attendance on Congress, Curry made a number of speeches at different churches in behalf of colportage among the soldiers of the army. He also delivered several lectures, one of which was on "The Wants of the Confederacy." This was delivered on the 13th of February, 1862; and even then was a spacious subject, embracing an almost illimitable field. Among those who pleased his natural sense of self-esteem by

asking for its publication, he mentions the Hon. William C. Rives, the Reverend Moses D. Hoge, General Winder, Dr. Brown, and the Hon. John Randolph Tucker. But with a wise caution, for a public speaker of frequent occasion, he declined the flattering request.

On the 22nd day of February, 1862 (Washington's Birthday), the provisional government of the Confederate States, established in the preceding year at Montgomery, Alabama, had ceased to exist; and on that day Jefferson Davis of Mississippi and Alexander H. Stephens of Georgia, having been unanimously chosen President and Vice-president, respectively, by the votes of the convention of every Southern State, were duly inaugurated for a constitutional term of six years. The oath of office was administered to the President by the Hon. J. D. Halyburton, and to Alexander H. Stephens by the President of the Confederate States. On the next day President Davis sent to the Senate for confirmation a list of Cabinet appointments, as follows: Secretary of State, Judah P. Benjamin of Louisiana; Secretary of War, George Wythe Randolph of Virginia; Secretary of the Navy, Stephen R. Mallory of Florida; Secretary of the Treasury, C. G. Memminger of South Carolina; Postmaster General, Mr. Henry of Kentucky; Attorney General, Herschel V. Johnson of Georgia.

The Congress adjourned on April 18th, 1862. Curry went home, for a short stay, returning to Richmond and his duties on the 17th of August.

There was little which was eventful in Curry's political service or in the political annals of this period. The drama of war held the stage and pub-

lic interest centred in the operations of the forces in the field. The Seven Days' Battles about Richmond took place during the summer of 1862; and the stout hearted city held her own against mighty odds.

On the 6th of October Curry left Richmond for Talladega, and reached home on the 12th. During his attendance upon the sessions of Congress in Richmond, Mrs. Curry had remained in Alabama, taking an active part in various patriotic charities. She was at the head of a sewing circle, which was accustomed to meet at the old Curry homestead at Kelly's Springs, for the purpose of making clothes for the soldiers. Although Mrs. Curry was a frail and delicate woman, she was possessed of an indomitable energy and perseverance, and of great prudence and tact in the management of others. By her industry and liberality she had already accomplished a large amount of work of this kind, for which she had been accorded great praise throughout the country. In many instances the private soldier at the front left no bread-winner at home to care for the family; and the majority of the men in the Confederate armies were not slave-owners. So it happened that it was not uncommon for the soldiers' families to find themselves in destitution and want, even in the earlier days of the War, although contributions for their relief were frequent and liberal. Those who had gave willingly, however, to those who had not; and at one time Curry himself turned over to the Probate Court of Talladega County, without thought of compensation, for the aid of soldiers' families, one thousand bushels of corn. It was a large and generous gift; and yet



so general were donations of this character from those who were able to make them, that this large contribution attracted no special attention; and, Curry adds in recording it, it may be "less gratitude."

Returning to Richmond, he writes of the Congress then in session:—

The legislation amounted to very little. Mr. Davis gave to Congress very little information beyond what was published in the newspapers. We were apparently expected to put into statutes what he deemed best for the interests of the Confederacy. Possibly, probably, it was best not to communicate military secrets to Congress, for very little occurred in either House that did not promptly find its way into the newspapers.

We had some excellent men in the House. Mr. William C. Rives was a ripe scholar, an experienced statesman, a high-toned gentleman. Garnett of Virginia was a man of abundant possibilities. He died, and I made one of the addresses on the occasion. Staples and Preston were eloquent men. Henry S. Foote of Tennessee was *sui generis*,—whether partially demented, or merely disaffected to the South, it was difficult to decide.

The impossibility of appreciating our currency was every day more clearly demonstrated, and the rapid depreciation made increased issue necessary; and the two counter-currents were running violently. A proposition to make our notes a legal tender had strong and zealous advocates. I opposed this in an elaborate speech, which was much praised, and which I think had the effect of killing the measure. I made two speeches on different aspects of the currency question.

Frequently I presided in the House, and when the Speaker, Mr. Boccock, was absent, I was elected Speaker *pro tem*. If I had been a member of the next Congress, I should probably have been chosen to preside, as very

many of the members had very decidedly expressed their preference in that direction.

Contemporary and later testimony acclaims Curry's merits and abilities as a presiding officer. He was a student of parliamentary law, and possessed the qualities of alert perception, keen intelligence, disinterested honesty, and swift and firm decision. All these had been sharpened and intensified by his large experience in both religious and political bodies and assemblages; and if the probability which he suggests had ever become a reality, there can be no reason to doubt that he would have so discharged the duties of Speaker of the House of Representatives as to add another laurel to those that he had already won, or to those which he later wore.

Curry's *memorabilia* are strangely silent on details, impressions and personal touches concerning the Confederate Congress which we would be very grateful for in building up a picture of that unique governmental body. The Constitution of the Confederacy seemed to him an instrument of great wisdom, and an everlasting refutation of the charges which have been brought against the framers, as conspirators erecting a great slavery oligarchy. Its tenure of office provisions, its initiation, in a modified form, of the British custom of allowing the President representation on the floor of the two houses through his constitutional advisers, especially appealed to him. In speaking of the Confederate instrument he later declared:—

Every possible infringement upon popular liberty, or upon State rights, every oppressive or sectional use of

the taxing power, was carefully guarded against, and civil service reform was made easy and practicable. Stubborn and corrupting controversies about tariffs, post-office, improvement of rivers and harbors, subsidies, extra pay, were avoided. The taxing power was placed under salutary restrictions. Responsibility was more clearly fixed. Money in the treasury was protected against purchasable majorities and wicked combinations. Adequate powers for a frugal and just administration were granted to the General Government. The States maintained their autonomy, and were not reduced to petty corporations, or counties, or dependencies.

The study of the Confederate Constitution would be useful at present, as there never was a time when the need of restrictions and guarantees against irresponsible power was more urgent. The public mind has been schooled against any assertion of State rights or of constitutional limitations, and taught to look with aversion and ridicule upon any serious attempt to set up the ancient landmarks. The abeyance of State authority, reliance in actions and opinions upon Federal protection and aid, the vast accumulation of power and influence at Washington, the supposed necessary supremacy of the Central Government, have caused a wide departure from the theory and principles of the fathers.

He was constant in praise of the learning, the ability and the legislative wisdom of the individuals composing the Congress operating under this admirable constitution. And yet his records suggest a dullness in its proceedings, a certain futility in its debates, a certain lack of a proper forum for pure civic ability. The inference is very clear that though the Confederate Congress was nobly organized to carry on a settled and placid government, the knowledge that success in war could alone guar-

antee its existence tended inevitably to give it second place in the public consideration, and to rob its proceedings of that lofty dignity that belongs of right to parliaments of established nations. The soul and spirit of a brave, struggling people hovered over the field of battle, and not over the chamber of debate and mere intellectual combat.